

1992 REPORT OF ANNUAL RECOMMENDATIONS
OF THE
ARKANSAS/OKLAHOMA ENVIRONMENTAL TASK FORCE
TO
GOVERNOR CLINTON AND GOVERNOR WALTERS

The undersigned members of the Arkansas/Oklahoma Environmental Task Force hereby submit this report to the Honorable Bill Clinton, Governor of the State of Arkansas, and the Honorable David Walters, Governor of the State of Oklahoma, pursuant to the Joint Agreement of the Governors of the States of Arkansas and Oklahoma.

HISTORY OF TASK FORCE

Over the last few years, as industry, agribusiness, recreation and tourism in western Arkansas and eastern Oklahoma have developed and expanded, concerns about protecting the high quality scenic streams, rivers and lakes in the region have correspondingly increased. Many of these waters have interstate significance, and regulations relating to the use and protection of these waters impact citizens of both states. Some of the concerns involving water quality and regulations affecting water quality came to a head before the United States Supreme Court in the case of Oklahoma v. EPA and City of Fayetteville, Arkansas. The Governors of the States of Arkansas and Oklahoma subsequently determined that it would be in the best interests of both states, and the western Arkansas-eastern Oklahoma region in particular, to create a joint task force so representatives from both states could mutually identify common problems relating to the

environment and study possible solutions to the same.

On January 9, 1992, Arkansas and Oklahoma officials met in Fort Smith, Arkansas, to discuss creation of such a joint task force, its mission, goals, plan of action and membership. To formalize the matters discussed, the Joint Agreement of the Governors of the States of Arkansas and Oklahoma was executed on February 8, 1992, by the Governors.

The Task Force created by the Joint Agreement met four times during the calendar year 1992, alternating meeting sites between locations in Arkansas and Oklahoma.

COMMON AREAS OF ENVIRONMENTAL CONCERN

One of the primary missions given to the Task Force was to identify common areas of environmental concern. Our review shows that water quality and water quality related issues are predominant among the current environmental concerns common to both states. Within the water quality sphere of issues, the following have been addressed to some degree by the Task Force:

- Nonpoint Source Pollution
- Water Quality Standards
- Agri-business waste regulation
- Total Maximum Daily Load (TMDL) implementation
- Varying standards and economic development advantages

As part of the effort to identify common areas of environmental concern, the Task Force established a technical committee on water quality standards issues composed of officials from the respective

state agencies that adopt water quality standards. That technical committee met on April 23, 1992, to compare standards currently in effect for both states and to discuss implementation strategies. The Task Force also heard reports on the manner of regulating agri-business wastes, particularly from chicken and hog raising operations, and how the lack of consistency in such regulations, many of which are intended to protect water quality, can create economic advantages in one state while creating water quality problems in the other.

POTENTIAL LONG-TERM SOLUTIONS TO SHARED ENVIRONMENTAL PROBLEMS

In the limited time that Task Force has had opportunity to meet, one potential long-term solution has been identified to address the concern about variation in standards for interstate streams. That solution would involve the mutual development of TMDLs for particular streams identified by the Task Force. Joint implementation of TMDLs for interstate streams would give each state the flexibility to determine which kind of activity must bear what costs to meet its standards. Additional meetings of officials from the state agencies responsible for adopting water quality standards will be necessary to further develop this solution.

It is the consensus of the Task Force that a potential long-range solution to the inconsistent degree of protection required by the water quality standards of both states involves the Arkansas-Oklahoma Arkansas River Compact Commission. The